

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
TOMOHISA KAWABATA,  
  
Defendant.

No. 2:08-cr-00177-RSL

**ORDER CONTINUING TRIAL DATE  
AND DEADLINE FOR FILING  
PRETRIAL MOTIONS**

THIS MATTER having come before the Court on the Stipulated Motion to Continue Trial Date and Deadline for Filing Pre-Trial Motions, and the Court having considered the motion and the entirety of the records and files herein, the Court finds and rules as follows:

1. Based on the facts set forth in the parties' stipulated motion, the Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, within the meaning of Title 18, United States Code, Section 3161(h)(7)(B)(ii).

2. The Court finds that this case involves ten defendants who have been charged by Superseding Indictment with a complex large-scale international narcotics smuggling conspiracy. All defendants but Mr. Kawabata have been convicted and sentenced. The United States has provided Mr. Kawabata with voluminous discovery, which is broad in scope, and will provide additional discovery.

ORDER CONTINUING TRIAL DATE AND DEADLINE  
FOR FILING PRETRIAL MOTIONS - 1  
No. 2:08-cr-00177-RSL

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4. Finally, the Court finds that the ends of justice will be served by ordering a continuance in this case, that the continuance is necessary to insure effective trial preparation, and that these factors outweigh the best interests of the public and Mr. Kawabata in a more speedy trial within the meaning of Title 18, United States Code, Section 3161(h)(7)(A).

4. Finally, the Court finds that the ends of justice will be served by ordering a continuance in this case, that the continuance is necessary to insure effective trial preparation, and that these factors outweigh the best interests of the public and Mr. Kawabata in a more speedy trial within the meaning of Title 18, United States Code, Section 3161(h)(7)(A).

THEREFORE, THE COURT FINDS THAT:

1. The period of time between the date this Order is granted and the new trial date in January 2016 shall be excluded from computation under Title 18 United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (ii), because it is unreasonable to expect adequate preparation for pre-trial proceedings or for the trial itself within the time limits established by the Speedy Trial Act, and because the failure to grant the continuance set forth in this Order would be likely to make a continuation of this proceeding impossible, or result in a miscarriage of justice.

2. The ends of justice served by this continuance outweigh the best interests of the public and Mr. Kawabata in a speedy trial.

THEREFORE, THE COURT ORDERS THAT:

1. The trial date shall be continued from August 31, 2015 to January 5, 2016.

2. The pre-trial motions deadline shall be November 16, 2015.

IT IS SO ORDERED.

DATED this 20th day of July, 2015.

Robert S. Lasnik  
ROBERT S. LASNIK  
United States District Judge

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1 Presented by:

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6 s/ Kelly H. Sheridan

7 KELLY H. SHERIDAN

8 Counsel for Tomohisa Kawabata

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